

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

IN RE: RANDY HAROLD BAKER

#15-33764-SHB  
Chapter 13  
Filed 12/28/15  
Confirmed March 4, 2016

**AMENDED NOTICE OF HEARING**

**Notice is hereby given that:**

**A hearing will be held on the Chapter 13 Trustee's Amended Motion to Dismiss on 11/06/2019 at 11:00 a.m., in the Courtroom 1C, located at U.S. Bankruptcy Court, Howard H. Baker, Jr. Courthouse, 800 Market St., Knoxville, TN 37902.**

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

**If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter and order granting that relief.**

**TRUSTEE'S AMENDED MOTION TO DISMISS**

The Chapter 13 Trustee moves to dismiss this case under 11 U.S.C. §1307 for one or more of the following reasons:

- ☐ **Approximate** plan arrearage of \$ accrued since .
- ☐ Cumulative plan arrearage, including current arrearage, is **approximately** \$ ( prior Motions to Dismiss for arrearages).
- ☐ Secured creditors are behind.
- ☐ Case is no longer feasible due to: \_\_\_ plan arrearages; \_\_\_ excessive claims filed.
- ☐ Case has expired or is near expiration with an unpaid balance of \$ \_\_\_\_\_.
- ☐ Debtor(s) failed to appear for scheduled 341 Meeting of Creditors.
- ☒ Other: The Trustee has not received the plan portion (\$8,611.00) of the 2017 tax refund.  
The Trustee has not received the plan portion (\$8,897.00) of the 2018 tax refund.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Amended Motion to Dismiss and Amended Notice of Hearing and hereby certifies that a true and exact copy of the same has been serviced by Electronic Case Filing (ECF) and/or by first class United States Mail (USM) postage prepaid on the following individuals as addressed below on October 24, 2019.

RANDY HAROLD BAKER / (USM)  
33 HEMLOCK DRIVE

PIPPA PASSES, KY 41844-

RICHARD M. MAYER AND/OR JOHN P. NEWTON (ECF)  
LAW OFFICES OF MAYER & NEWTON  
Debtor(s) Attorney

s/ Gwendolyn M. Kerney ( by en w/perm)  
Gwendolyn M. Kerney, #7280  
Chapter 13 Trustee  
PO Box 228  
Knoxville, TN 37901  
(865) 524-4995

Tiffany Dilorio (ECF)  
U.S. Trustee's Office